

BOARD FOR CONTRACTORS BOARD MEETING

FINAL MINUTES

The Board for Contractors met on Tuesday, September 1, 2009 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Robert M. Kirby, Chairman
Kenneth Hart
Herbert "Jack" Dyer, Jr.
H. Bailey Dowdy
Jack Miller
Michael Redifer
William Rusher
Troy Smith
Homer Pete Sumpter
Deborah Lynn Tomlin
Wyatt Walton
Dorothy Wood

Board Members absent from the meeting were: Mark Cronin and A. Bruce Williams.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark Courtney, Deputy Director, LRD
Eric L. Olson, Executive Director
Sheila Watkins, Administrative Assistant
Karen Bullock, Compliance Specialist
Michelle Atkinson, Legal Analyst
Victoria Traylor, Legal Analyst
Earlyne Perkins, Legal Analyst
Steve Arthur, Deputy Director, Administration and Finance
Adrienne Mayo, Regulatory Boards Administrator
Steven Jack, Assistant Attorney General

Chairman Robert Kirby called the meeting to order at 9:05 a.m. and declared declared a of board members was in attendance.

**Call
To Order**

A motion was made by Mr. Wood and seconded by Mr. Sumpter to approve the agenda. The motion passed unanimously. Members voting "Yes" were: Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Kirby, Redifer, Dowdy, Wood, Miller and Walton.

**Approval of the
Agenda**

Williams and Cronin were absent.

Ms. Wood moved to approve the following minutes as submitted from the:

Approval of Minutes

August 4, 2009 Board for Contractors Meeting
July 16, 2009 Informal Fact Finding Conference
July 17, 2009 Informal Fact Finding Conference
July 21, 2009 Informal Fact Finding Conference
July 23, 2009 Informal Fact Finding Conference
July 28, 2009 Informal Fact Finding Conference

Mr. Sumpter seconded the motion and it was unanimously approved by members: The motion passed unanimously. Members voting "Yes" were: Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Kirby, Redifer, Dowdy, Wood, Miller and Walton.

Williams and Cronin were absent.

There was no Public Comment.

**Public Comment
Period**

In the matter of Recovery Fund File Number 2008-02935, Laura Barmore (Claimants) vs. Rustic Creations LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Rustic Creations LLC (Regulant) did not appear at the board meeting. Laura Barmore (Claimant) did attend the Board meeting. She addressed the Board and shared her agreement with the recommendation.

File Number
2008-02935
Laura Barmore
(Claimant) and Rustic
Creations LLC
(Regulant)

Mrs. Brigil, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Sumpter to adopt the claim review and the hearing officer's recommendations and summary and deny the claim for payment. The Claim Review and Summary are incorporated as a part of this Order. The Board finds the claimant failed to take all legally available actions for the sale, or application of the disclosed assets. In addition, Board finds that there is no language in the judgment order that supports the conclusion that the court found that the conduct of Rustic Creations LCC involved improper or dishonest conduct. . The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Kirby,

Redifer, Dowdy, Wood, Miller and Walton.

Williams and Cronin were absent.

In the matter of Recovery Fund File Number 2009-01025, Sherry Ann Long (Claimant) vs. Roger A. St. Clair, t/a St. Clair's Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Roger A. St. Clair, t/a St. Clair's Construction (Regulant)** did not appear at the board meeting. **Sherry Ann Long (Claimant)** did not attend the Board meeting.

File Number
2009-01025
Sherry Ann Long
(Claimant) and Roger
A St. Clair, t/a St.
Clair's Construction
(Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Ms. Wood and seconded by Mr. Sumpter to adopt the claim review and the hearing officer's recommendations and summary for violations and deny the claim. The Board finds that there is no language in the judgment order that supports the conclusion that the court found that the conduct of St. Clair's Construction involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Kirby, Dowdy, Wood, Miller and Walton.

Williams and Cronin were absent. Mr. Redifer did not participate and did not vote.

In the matter of Recovery Fund File Number 2009-01130, Nancy C. McPherson (Claimant) vs. Sunset Way, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Sunset Way, Inc. (Regulant)** did not appear at the board meeting. **Nancy McPherson (Claimants)** did attend the Board meeting. She addressed the Board. Stephen Heretick, Attorney for claimant did not appear. David R. Timm appeared with the Claimant and he addressed the Board.

File Number
2009-01130
Nancy C
McPherson(Claimant)
and Sunset Way, Inc.
(Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Hart to adopt the claim review and the hearing officer's recommendations and summary for violations and deny the claim. The Board finds there is no language in the judgment order that supports the conclusion that the conduct of Sunset Way, Inc. involved improper and dishonest conduct. The motion passed by majority vote. Members voting "Yes" were: Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Miller and Dowdy. Kirby, Wood and Walton voted "no".

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File Number 2009-01227, David Nichols

File Number

(Claimants) vs. Millennium Quests, Inc., t/a American Dream Consultants (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **American Dream Consultants (Regulant)** did not appear at the board meeting. **Nichols and Philip R. Boardman, Counsel (Claimant)** did attend the Board meeting. They addressed the Board.

2009-01227
David Nichols vs.
Millennium Quests,
Inc., t/a American
Dream Consultants

Mrs. Brigil, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and deny payment of the claim. The motion failed with a vote of six "yes", and six "no". Members voting "no" were: **Walton, Wood, Kirby, Smith, Hart and Miller**. Members voting "yes" were: **Sumpter, Tomlin, Redifer, Dyer, Dowdy and Rusher**. The motion failed due to lack of a majority vote.

After further discussion, a motion was made by **Wood** and seconded by **Smith** to reject the hearing officer's claim and pay the claim. The motion was withdrawn by **Mrs Wood** and therefore was not voted upon by the Board.

After additional discussion by the Board a motion was offered by **Mr. Sumpter** and seconded by **Mrs. Tomlin** to adopt the Claim Review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is no language in the judgment order that supports the conclusion that the court found that the conduct of American Dream Consultants involved improper or dishonest conduct. The Board orders that this claim be denied. The motion passed by majority vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Hart, Redifer, Sumpter, Smith, Miller and Dowdy**. **Kirby, Wood and Walton** voted "no".

Williams and Cronin were absent. **Brigil** was not present and did not vote.

In the matter of Recovery Fund File Number 2009-02116, Anthony & Stephanie Bailey (Claimants) vs. Lyons Development Corp (Regulant); This case has been continued to October 6, 2009.

File Number
2009-02116
Anthony & Stephanie
Bailey vs. Lyons
Development Corp

In the matter of Recovery Fund File Number 2009-02134, Anika T Haley (Claimants) vs. Kurt T. Gervais, t/Lake Ridge Carpentry Paint & Bath (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Lake Ridge Carpentry Paint & Bath (Regulant)** did not appear at the board meeting. **Anika T Haley (Claimants)** did

File Number
2009-02134
Anika T Haley
(Claimant) and Kurt
T. Gervais, t/a Lake

not attend the Board meeting.

**Ridge Carpentry
Paint & Bath
(Regulant)**

Mrs. Brigil, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and deny the claim for payment of the claim. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Hart, Sumpter, Redifer, Smith, Miller and Dowdy**. **Kirby, Wood and Walton** voted "no".

Williams and Cronin were absent. **Brigil** was not present and did not vote.

In the matter of Recovery Fund File Number 2009-02137, Anthony Fillater (Claimants) vs. Procraft of Virginia, Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Procraft of Virginia, Inc (Regulant)** did not appear at the board meeting. **Anthony Fillater (Claimants)** did attend the Board meeting. She addressed the Board.

**File Number
2009-02137
Anthony Fillater
(Claimant) and
Procraft of Virginia,
Inc. (Regulant)**

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Ms. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary and deny the claim for payment. The Board finds that there is no language in the judgment order that supports the conclusion that the court found that the conduct of **Procraft of Virginia, Inc.** involved improper or dishonest conduct. The motion passed by majority vote. The vote was 6 yes and 5 no. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Hart, Sumpter, and Smith**. **Kirby, Wood, Miller, Dowdy and Walton** voted "no".

Williams and Cronin were absent. **Redifer** was not present and did not vote.

In the matter of Recovery Fund File Number 2009-02215, James Montgomery (Claimants) vs. Dustin Lee Harper, t/a Harper Custom Homes (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dustin Lee Harper, t/a Harper Custom Homes (Regulant)** did not appear at the board meeting. **James Montgomery (Claimants)** did not attend the Board meeting.

**File Number
2009-02215
Dustin Lee Harper,
t/a Harper Custom
Homes**

Mrs. Brigil, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's

recommendations and summary and deny the claim for payment. The Board finds that there is no language in the judgment order that supports the conclusion that the court found that the conduct of **Harper Custom Homes** involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Miller, Dowdy, Kirby, Wood, Redifer and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of Recovery Fund File 2009-02339, Terrence P Coll (Claimant) and Lyons Development Corp, t/a Lyons Development Corp. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Lyons Development Corp, t/a Lyons Development Corp. (Regulant),** did not attend the Board meeting. **Coll (Claimant)** attended the Board meeting. He addressed the Board. After discussion a motion was made by Mrs. Wood and seconded by Mr. Sumpter to adopt the claim review and the hearing officer's recommendations and summary and approve the claim for payment in the amount of **\$20,000.00.** The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Hart, Sumpter, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

File Number
2009-02339
Terrence P Coll
(Claimant) and Lyons
Development Corp,
t/a Lyons
Development Corp

William s and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File 2009-02496, Un Ha Park (Claimant) and AMP Constructions Corp (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2009-02496
Un Ha Park
(Claimant) and AMP
Constructions Corp
(Regulant)

Park appeared at the Board meeting by qualified representative, **Jonathan Nguyen-Duy.** **AMP Constructions Corp** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Smith** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and reject the recommendation. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **AMP Constructions Corp** involved improper or dishonest conduct. Specifically, the Board finds that "poor workmanship and work not completed" arises to the level of continued incompetence which falls within the definition of improper or dishonest conduct. The Board voted to approve payment of the claim in the amount of **\$5,053.00.** The motion passed by majority vote. Members voting "yes" were: **Tomlin, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.** **Sumpter** voted "no".

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File 2009-02523, Un Ha Park (Claimant) and Ace Design & Build, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

**File Number
2009-02523
Un Ha Park vs. Ace
Design & Build, Inc.**

Park appeared at the Board meeting by qualified representative, **Jonathan Nguyen-Duy**. **Ace Design & Build, Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Smith** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and reject the recommendation. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Ace Design & Build, Inc** involved improper or dishonest conduct. Specifically, the Board finds that "work not completed" arises to the level of continued incompetence which falls within the definition of improper or dishonest conduct. The Board voted to approve payment of the claim in the amount of **\$5,053.00**. The motion passed by majority vote. Members voting "yes" were: **Tomlin, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton**. **Sumpter** voted "no".

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File 2009-02637, Cynthia Cooper (Claimant) and Custom Additions, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

**File Number
2009-02637
Cynthia Cooper
(Claimant) and
Custom Additions,
Inc. (Regulant)**

Cooper appeared at the Board meeting in person; **Custom Additions, Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Walton** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and reject the recommendation. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Custom Additions Ink** involved improper or dishonest conduct. Specifically, the Board finds that "**Custom Additions, Inc**" involves wrongful conversion of funds arises to the level of improper or dishonest conduct. The Board voted to approve payment of the claim in the amount of **\$3,060.00**. The motion passed by majority vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood**

and Walton.

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File 2009-02644, Mary Greer (Claimant) and Benny H Annis (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

Greer did not appear at the Board meeting in person; Benny H Annis did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and accept the recommendation to deny payment of the claim. The motion passed by majority vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Recovery Fund File 2009-02897, Peter Hoefling and Crystal Van Hise (Claimant) and Turfmaster Lawns & Landscaping (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

Hoefling and Crystal did not appear at the Board meeting in person; Turfmaster Lawns & Landscaping did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Walton** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and accepts the recommendation to deny payment of the claim. The motion passed by majority vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Redifer, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of Recovery Fund File 2009-02906, Walter Piotti, Jr. (Claimant) vs. Brothers Construction of Fairfax, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

Walter Piotti did appear at the Board meeting in person. He shared his disagreement

File Number
2009-02644
Mary Greer
(Claimant) and Benny
H. Annis (Regulant)

File Number
2009-02897
Peter Hoefling &
Crystal Van Hise vs.
Turfmaster Lawns &
Landscaping

File Number
2009-02906
Walter Piotti, Jr. vs.
Brothers
Construction of
Fairfax Inc.

with the Board. **Brothers Construction of Fairfax, Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopt the recommendation to not pay the claim. The Claim Review and Summary are incorporated as a part of the Order. The motion failed by majority vote. Members voting "yes" were: **Tomlin, Sumpter, Rusher, Hart, Dowdy and Redifer.**

Members voting "no" were: Walton, Kirby, Smith, Wood, Dyer and Miller.

Williams and Cronin were absent. Brigil was not present and did not vote.

After further discussion a motion was made by **Mr. Walton** and seconded by **Mr. Miller** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and reject the recommendation based on the Virginia Consumer protection Act and pay the claim in the amount of \$9,731.12. The motion passed by majority vote. Members voting "yes" **Rusher, Hart, Dowdy, Redifer, Walton, Kirby, Smith, Wood Dyer and Miller.**

Mr. Redifer abstained from voting. **Mrs. Tomlin and Mr. Sumpter** voted "no".

In the matter of Recovery Fund File 2009-03140, Francis & Kendall Calvert (Claimant) vs. Carl Lewis, Jr. t/a Commonwealth Merchant Service (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2009-03140
Francis & Kendall
Calvert vs. Carl
Lewis, Jr. t/a
Commonwealth
Merchant Service

Kendall Calvert and his attorney Kevin Hubbard appeared at the Board meeting in person. They addressed the Board. **Carl Lewis, Jr. t/a Commonwealth Merchant Servant** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to pay the claim in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-03914, Daniel Runnels, the Board members reviewed the record, which consisted of the application file, transcript,

File Number
2009-03914

exhibits, and Summary of the Informal Fact-Finding Conference.

Daniel Runnels

Applicant Daniel Runnels appeared at the IFF and the Board meeting. He addressed the Board. He shared his agreement with the recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by majority vote. Members voting "Yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04101, Nicholas Fazio, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04101
Nicholas Fazio**

Applicant Nicholas Fazio appeared at the IFF and the Board meeting. He addressed the Board. He shared his agreement with the Recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mrs. Wood** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04105, Raed Yassa Abualzalaf the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04105
Raed Yassa
Abualzalaf**

Applicant Raed Yassa Abualzalaf appeared at the IFF. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference, and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy,**

Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04108, Michael Powell t/a Powell's Painting & Home Repair the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04108
Michael Powell t/a
Powell's Painting &
Home Repair**

Applicant Michael Powell appeared at the IFF and the Board meeting. The presiding Board representative Ms. Brigil was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mr. Sumpter and seconded by Mrs. Wood to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04112, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04112
James Dillard Ley, II**

Applicant appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative Ms. Brigil was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Redifer and seconded by Mr. Sumpter to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.

Miller, Cronin, Rusher, Walton and Williams were absent.

In the matter of Disciplinary File Number 2009-04112, James Dillard Ley, II, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number
2009-04112
James Dillard Ley, II**

James Dillard Ley, II along with Angela Ley (Respondent) did appear at the IFF and did attend the Board meeting. They addressed the Board. The presiding Board representative Ms. Brigil was not present, did not participate in the discussion and did

not vote. **Mrs. Perkins** addressed the Board and shared that the following corrections need to be made to the summary and recommendation. In the summary # 4 the last sentence should be the duties of Journeyman "PLB, HVA and GF" tradesman" not electrician. In the summary, #9, second paragraph, first sentence should be "Board since 1990" (not 1982 – no records to substantiate). In the Summary Recommendation, last paragraph should be "take the "PLB, HVA and GF tradesman – (not electrician). In page one; type of license applied for should be Journeyman PLB, HVA and GF – (not Master ELE).

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations and noted correction. The Board found that **James Dillard Ley, II**, violated the following sections of its Regulations:

Effective March 31, 1995		
Count 1:	§5.7.B.18	
Count 2:	18 VAC 50-22-260 B 18	Effective May 1, 1999
Count 3:	18 VAC 50-22-260 B 19	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

The Board voted to impose no monetary penalty for the violation of the regulation. As to Count 1 and Count 2, pursuant to §54.1-202 of the Code of Virginia, the Board voted to impose no monetary penalty for the violation of the regulations.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04110, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-04110
James Dillard Ley, II

Applicant James Dillard Ley, II appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins addressed the Board and shared the following corrections needed to be made to typographical errors. In the Summary- #4 last sentence should be "the duties of Journeyman 'PLF, HVA and GF' tradesman" (not electrician).

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference along with the noted corrections and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04237, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-04237
Ronald Eugene
Canaday

Phillip Moore, Electrical Instructor for Applicant Ronald Eugene Canaday appeared at the IFF and the Board meeting. He addressed the Board. He shared that he is an instructor at the Correctional Center and the applicant is scheduled to be released from the correctional facility in 2013. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins addressed the Board and shared that the following corrections need to be made due to typographical errors. In the Summary – Recommendation, 2nd paragraph should be ".....he raped....." not (rapped).

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by majority vote. Members voting "Yes" were: **Sumpter, Dyer, Redifer, Rusher, Hart, Smith, Dowdy, Redifer and Walton.**

Members voting "no" were: Kirby, Wood, Miller and Tomlin.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04238, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-04238
Shane Orlando
Douglas Byrd

Applicant Shane Orlando Douglas Byrd appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04277, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04277
Donald Gibson**

Applicant Donald Gibson, James Pierce and Phillip Moore appeared at the IFF and the Board meeting. **Pierce and Moore** addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue of the license. The motion failed by a tie vote. Members voting "Yes" were: **Sumpter, Rusher, Hart, Smith, Dowdy and Redifer.**

Members voting "No" were: Walton, Miller, Wood, Kirby, Dyer and Tomlin.

Williams and Cronin were absent. Brigil was not present and did not vote.

After further discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the informal Fact-Finding conference and issue a conditional license. The motion passed with a majority vote. Members voting "Yes" were: **Sumpter, Rusher, Hart, Smith, Miller, Dowdy, Redifer and Wood.**

Members voting "No" were: Tomlin, Dyer, Kirby and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04383, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04383
Roy Jennings**

Applicant Roy Jennings appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not

participate in the discussion and did not vote.

Mrs. Perkins addressed the Board and shared that the following corrections need to be made due to typographical errors. In the Summary - #1- appears the only conviction is for 1st degree manslaughter- (sentenced to 12 years – not 60 months). Also the document from New York indicated only 1 felony. Evidence does not support 2nd degree murder and grand larceny – documents state ‘in full satisfaction of...’ Also, Summary - # 8 – (Note: at time of IFF employed 2 years and 9 months (not over four years)).

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04387, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04385
Start Painting, LLC**

Applicant Brandon Parsors for Start Painting, LLC appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04386, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04386
Thomas Willis t/a
Production Welding
& Fabricating, Inc.**

Applicant Thomas Willis t/a Production Welding & Fabricating, Inc. appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to

adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04515, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04515
William Lewis Moore**

James Hollar and Applicant William Lewis Moore appeared at the IFF and the Board meeting. They addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins addressed the Board and shared that the following corrections need to be made due to typographical errors. In the Summary – background information #1 paragraph- end of sentence indicates "Order attached", order is not attached to Summary; however, is in case file. Summary – 2nd paragraph – end of sentence indicated "(Order attached)"- Order is not attached to Summary and is not in the record case file as evidence. The type of license applied for should be listed as Class C – (not B). The Regulation listed should be 18 VAC 50-22-40 D (not 50 F) (cited incorrectly in transcript also).

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

In the matter of License Application File Number 2009-04517, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2009-04517
Frank Edward
Stowers t/a F. S.
Construction**

Applicant Frank Edward Stowers t/a F. S. Construction appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy,

Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

The Board took a 10 minute break from 10:50 am to 11:00 am.

Break

In the matter of Disciplinary File Number 2009-00561, Windmill Building Corp (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. There was a handout distributed to the Board members for review requesting another continuance to October 6, 2009 meeting. Rodney McNew, president of Windmill Building Corp (Respondent) attended the Board meeting. His counsel was unable to attend. He addressed the Board. Johanna Pardue (Complainant) attended the Board meeting and addressed the Board.

**File Number
2009-00561
Windmill Building
Corp**

Mr. Redifer offered a motion that was seconded by Mr. Hart to deny continuance of the case to October 6, 2009 as a two month continuance had previously been granted. The motioned passed with a majority vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Miller, Dowdy, Kirby, Redifer and Wood.

Member voting "no" was: Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

The presiding Board representative Mr. Smith was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mrs. Wood and seconded by Mr. Sumpter to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Windmill Building, Corp violated sections of its Regulations:

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.

After discussion a motion was made by Mrs. Wood and seconded by Mr. Sumpter to remand this case back to an Informal Fact Finding conference:

The motion passed by majority vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Miller, Dowdy, Kirby, Wood and Walton.

Williams and Cronin were absent. Brigil was not present and did not vote.
Members voting no: Redifer and Hart.

In the matter of Disciplinary File Number 2009-01974, Tu Van Phung, t/a Phung Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Tu Van Phung, t/a Phung, t/a Phung Construction (Respondent)** participated in the IFF. **Tu Van Phung** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representatives **Mr. Cronin and Mr. Miller** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Tu Van Phung**, violated the following sections of its Regulations:

File Number
2009-01974
Tu Van Phung, t/a
Phung Construction

Effective September 1, 2001	
Count 1:	18 VAC 50-22-260 B 31
Count 3:	18 VAC 50-22-260.B 15
Count 4:	18 VAC 50-22-260.B.25

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller and Cronin were not present and did not vote.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to impose the following sanctions.

Count 1:	\$300.00	
Count 3:	\$1,500.00	
Count 4:	\$1,000.00	
Total		\$2,800.00

In addition, for violation of Count 1, the Board to require **Tu Van Phung** have a member of Responsible Management successfully complete a Board-approved remedial education class. The Board also imposes the following sanctions: Revocation of license for the violation of Count 3 and Count 4. As to Count 2, the Board closes this aspect of the file with a finding of no violation.

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The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller and Cronin were not present and did not vote.

In the matter of Disciplinary File Number 2009-00598, J E Woods t/a J E Woods & Son (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. J E Woods t/a J E Woods & Son (Respondent) appeared at the IFF. They did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative Mr. Hart was not present, did not participate in the discussion and did not vote.

File Number
2009-00598
J E Woods t/a J E
Woods & Son

Mrs. Perkins addressed the Board and shared that the following correction needed to be made due to typographical errors. In the Summary – remove the Colegroves as participant at the Informal Fact Finding (they did not attend).

After discussion, a motion was made by Mr. Redifer and seconded by Mr. Dyer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that J E Woods t/a J E Woods & Son did not violate its Regulations and voted to close the case with a finding of no violation.

The motion passed by unanimous vote. Members voting "yes" were: were: Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Hart was not present and did not vote.

In the matter of Disciplinary File Number 2009-01189, Steven Dockweiler (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Steven Dockweiler (Respondent) did not appear at the IFF and did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative Mr. Hart was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Sumpter to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Steven Dockweiler violated the following sections of its Regulations:

File Number
2009-01189
Steven Dockweiler

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-260.B 27	
Count 3:	18 VAC 50-22-260.B.31	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Hart was not present and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to impose the following monetary sanctions:

Count 1:	\$250.00	
Count 2:	\$350.00	
Count 3:	\$100.00	
Total		\$700.00

In addition, for violation of **Count 1, 2 and 3** the Board to require **Steven Dockweiler** have a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed by majority vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Hart was not present and did not vote.

In the matter of Disciplinary File Number 2009-02238, **Bradley L Page, t/New Image Roofing & Remodeling (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Bradley L Page, t/New Image Roofing & Remodeling (Respondent)** did not appear at the IFF. Neither **Page**, legal counsel nor any other qualified representative attended the Board meeting. The presiding Board representative **Mr. Hart** was not present, did not participate in the discussion and did not vote.

File Number
2009-02238
Bradley L Page, t/a
New Image Roofing &
Remodeling

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Bradley L Page**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 30	Effective: September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Hart was not present and did not vote.

After discussion a motion was made by Mr. Smith and seconded by Mrs. Wood to impose the following sanctions:

Count 1	\$350.00	
Count 2	\$1,000.00	
Total		\$1,350.00

In addition, for violation of Count 1, the Board imposes voted to require **Bradley L Page** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Further for the violation of Count 2 the Board imposes revocation of license 2705-110607.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Hart was not present and did not vote.

In the matter of Disciplinary File Number 2009-01729, Mathew B Honeywell, t/a Honeywell Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Mathew B Honeywell, t/a Honeywell Construction (Respondent) did not appear at the IFF. Honeywell did not appear at the Board meeting in person or by counsel or by any other qualified representative. Elie and Frankie Jones (Claimants) attended the Board meeting. They addressed the Board. The presiding Board representatives Mr. Kirby and Mr. Mr. Hart were not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case.

File Number
2009-01729
Mathew B Honeywell,
t/a Honeywell
Construction

Mrs. Perkins addressed the Board and shared that the following corrections need to be made due to typographical errors. In the Summary – 2nd paragraph under Recommendation should be "In February 2008..." – (not 2009).

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Matthew B Honeywell** violated the following of its Regulations.

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 16	
Count 2:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Redifer, Wood and Walton.**

Williams and Cronin were absent. Hart and Kirby were not present and did not vote.

After further discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

The Board imposed license revocation for the violation of Count 2.		
Count 1:	\$1,800.00	
Count 2:	\$1,350.00	
Total		\$3,150.00

The motion passed unanimously. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Redifer, Wood and Walton.**

Williams and Cronin were absent. Kirby and Hart were not present and did not vote.

In the matter of Disciplinary File Number 2009-02242 Rochelle D Braxton-Lee, t/a Braxton Lee Marine Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Rochelle D Braxton-Lee (Respondent)** did not appear at the IFF or the Board meeting. The presiding Board representative **Mr. Redifer and Mr. Hart** were not present, did not participate in the discussion and did not vote. **Rochelle D Braxton-Lee** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

File Number
2009-02242
Rochelle D Braxton-
Lee t/a Braxton Lee
Marine Construction

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to

adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Rochelle D Braxton-Lee** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-260.B 9	Effective: February 1, 2006
Count 3:	18 VAC 50-22-260.B.31	Effective: September 1, 2001
Count 5:	18 VAC 50-22-260.B.14	
Count 6:	18 VAC 50-22-260.B.16	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Redifer and Hart were not present and did not vote.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$300.00
Count 2:	\$600.00
Count 3:	\$500.00
Count 5:	\$1,800.00
Count 6:	\$1,950.00
Total	\$5,150.00
In addition, for violation of Count 1, 2 and 3, the Board voted to require Rochelle D Braxton-Lee have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposes the following sanctions: Revocation of license for the violation of Count 5 and Count 6. As to Count 4, the Board closes this aspect of the file with a finding of no violation.	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Hart and Redifer were not present and did not vote.

In the matter of Disciplinary File Number 2009-01897, Cabinet Refacers Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding

**File Number
2009-01897
Cabinet Refacers Inc**

Conference and the recommendation. **Cabinet Refacers Inc (Respondent)** did not appear at the IFF. They did not appear at the Board meeting.

The presiding Board representatives **Mr. Redifer and Mrs. Wall** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mrs. Tomlin** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cabinet Refacers Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 28	Eff: September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. **Redifer** was not present and did not vote.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$300.00	
Count 3:	\$900.00	
Total		\$1,200.00

In addition, for violation of Count 1, the Board voted to require **Cabinet Refacers Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

As to Count 2, the Board voted to impose license revocation 2705-0025985.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

Miller, Cronin, Rusher, Walton and Williams were absent.
Kirby did not vote.

In the matter of Disciplinary File Number 2009-01188, Tuggle Masonry Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Tuggle Masonry Inc (Respondent) did not appear at the IFF. He did not attend the Board meeting. Sonja Sheperd (Complainant) attended the Informal Fact Finding conference.

File Number
2009-01188
Tuggle Masonry Inc

The presiding Board representative Mr. Miller was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Tuggle Masonry Inc violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260.B 6	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller was not present and did not vote.

After discussion a motion was made by Mr. Redifer and seconded by Mr. Sumpter to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$800.00	
Total		\$1,150.00

In addition, for violation of Count 1, the Board voted to require Tuggle Masonry Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes the following sanctions: Revocation of license for the violation of Count 2. 2705-118104.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller was not present and did not vote.

In the matter of Disciplinary File Number 2009-02097, Robert Mitchell & Teesa Marie Heflin, t/ RMH Builders (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2009-02097
Robert Mitchell &
Teesa Marie Heflin,
t/a RMH Builders**

RMH Builders (Respondent) did not attend the Board meeting. The presiding Board representatives **Mr. Miller** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mrs. Wood** seconded by, **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Robert Mitchell & Teesa Marie Heflin** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 29	
Count 2:	18 VAC 50-22-260.B 29	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mrs. Wood** to impose the following sanctions:

Count 1:	\$300.00	
Count 2:	\$300.00	
Total		\$600.00
In addition, for violation of Count 1 and 2, the Board voted to require Robert Mitchell & Teesa Marie Heflin have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Miller was not present and did not vote.

In the matter of Disciplinary File Number 2009-04175, Bryan T Anderson (Respondent); the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Bryan T Anderson (Respondent)** did not

**File Number
2009-04175
Bryan T Anderson**

appear at the IFF. **Bryan T Anderson** did not attend the Board meeting.

The presiding Board representative **Mr. Miller** was not present and did not participate and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Bryan T Anderson** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. **Miller** was not present and did not vote.

After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$1,300.00	
Total		\$1,300.00
In addition, for violation of Count 1, the Board voted to revoke license, 2705-106461.		

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. **Miller** was not present and did not vote.

In the matter of Disciplinary File Number 2009-02689, Nguyen Design & Build LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Tam Nguyen on behalf of Nguyen Design (Respondent),** appeared at the IFF and the Board meeting. **He addressed the Board.**

File Number
2009-02689
Nguyen Design &
Build LLC

The presiding Board representatives **Mr. Redifer** and **Mrs. Wall** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding

Conference with Recommendations. The Board found that **Nguyen Design & Build LLC**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 29	
Count 2:	18 VAC 50-22-260.B 17	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Redifer and Wall were not present and did not vote.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$600.00	
Count 2:	\$1,500.00	
Total		\$2,100.00
In addition, for violation of Count 1 and 2, the Board voted to require Nguyen Design & Build LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		
The Board voted to close Count 3 with a finding of no violation.		

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Wood and Walton.**

Williams and Cronin were absent. Redifer and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-02956, **Oscar Cuzmar, t/a CPG Construction (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Oscar Cuzmar, t/a CPG Construction, (Respondent)**, did not appear at the IFF. Neither **Cuzmar, CPG Construction**, counsel or by any other qualified representative appeared at the Board meeting on its behalf. **Colin M Raufer on behalf of Julie Katchmir** attended the Informal Fact Finding Conference.

File Number
2009-00721
Oscar Cuzmar, t/a
CPG Construction

The presiding Board representatives **Mr. Smith** and **Mrs. Wood** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Oscar Cuzmar**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 6	Eff: September 1, 2001
Count 3:	18 VAC 50-22-260 B 14	
Count 4:	18 VAC 50-22-260.B.16	
Count 5:	18 VAC 50-22-260.B.16	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Miller, Dowdy, Kirby, Redifer and Walton.**

Williams and Cronin were absent. Smith and Wood were not present and did not vote.

After discussion a motion was made by **Mrs. Tomlin** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$100.00	
Count 2:	\$1,500.00	
Count 3:	\$2,500.00	
Count 4:	\$2,500.00	
Count 5:	\$2,500.00	
Total		\$9,100.00

In addition, for violation of Count 1 and 2, the Board voted to require **Oscar Cuzmar** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes revocation of license 2705-080496.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Miller, Dowdy, Kirby, Redifer and Walton.**

Williams and Cronin were absent. Smith and Wood were not present and did not vote.

In the matter of Disciplinary File Number 2009-01865, **James E Fitzgerald III, t/a Fitzgerald and Munford Interiors (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **James E**

File Number
2009-01865
James E Fitzgerald
III, t/a Fitzgerald and

Munford Interiors

Fitzgerald III (Respondent) did not appear at the Informal Fact Finding conference. **Fitzgerald** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Ms. Wall, Mrs. Tomlin and Mrs. Wood** were not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **James E Fitzgerald III** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260.B 9	Eff: February 1, 2006
Count 3:	18 VAC 50-22-260.B.14	Eff: September 1, 2001
Count 4:	18 VAC 50-22-260.B.16	

The motion passed by unanimous vote. Members voting "yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer and Walton.**

Williams and Cronin were absent. **Tomlin and Wood** were not present and did not vote.

After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$400.00	
Count 3:	\$1,800.00	
Count 4:	\$1,950.00	
Total		\$4, 500.00
In addition, for violation of Count 1, and 2, the Board voted to require James E Fitzgerald III have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes revocation of license 2705-2705-114363.		

The motion passed by unanimous vote. Members voting "yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer and Walton.**

Williams and Cronin were absent. **Tomlin and Wood** were not present and did not vote.

In the matter of Disciplinary File Number 2009-02597, Cabinet Refacers Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Cabinet Refacers Inc (Respondent) did not appear at the IFF. They did not appear at the Board meeting. Judy Zegas (Complainant) attended the Informal Fact Finding Conference.

File Number
2009-02597
Cabinet Refacers Inc

The presiding Board representatives Mrs. Tomlin and Mrs. Wall were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Cabinet Refacers Inc violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 14	Eff: September 1, 2001
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-220.C	
Count 5:	18 VAC 50-22-230 B	
Count 6:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

After discussion a motion was made by Mr. Hart and seconded by Mr. Sumpter to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,800.00	
Count 3:	\$1,950.00	
Count 4:	\$400.00	
Count 5:	\$400.00	
Count 6:	\$1,900.00	
Total		\$6,850.00

In addition, for violation of Count 1, the Board voted to require Cabinet Refacers Inc have a member of Responsible Management successfully complete a Board-approved remedial

education class within 90 days of the order.

As to Count 2, the Board voted to impose license revocation 2705-0025985.

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-03012, Buffalo River Technology LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Preston Gary Wilkerson on behalf of Buffalo River Technology LLC (Respondent)** appeared at the IFF. **Wilkerson**, counsel or any other qualified representative did not attend the Board meeting.

File Number
2009-03012
Buffalo River
Technology LLC

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Buffalo River Technology LLC**, violated the following sections of its Regulations:

Effective September 1, 2001

Count 1:	18 VAC 50-22-260.B 2	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall was not present and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$650.00	

Total		\$650.00

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall was not present and did not vote.

In the matter of Disciplinary File Number 2009-04005, Window World of DC Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Greg Deathridge and Sadiq Gill, Attorney for Respondent Window World of DC Inc (Respondent), appeared at the IFF. They did not attend the Board meeting.

File Number
2009-04005
Window World of
DC, Inc.

The presiding Board representatives Mrs. Wall and Mrs. Tomlin were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Redifer and seconded by Mrs. Wood to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Window World of DC Inc, violated the following sections of its Regulations:

Count 1:	§54.1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall and Tomlin were not present and did not vote.

After discussion a motion was made by Mr. Redifer and seconded by Mr. Hart to impose no penalty for the violation of the Statue.

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-04020, The Rivendale Group Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2009-04020
The Rivendale Group
Inc

The Rivendale Group Inc (Respondent) did not appear at the IFF meeting. The Rivendale Group Inc did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives Mrs. Tomlin and Mrs. Wall were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mrs. Sumpter and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that The Rivendale Group Inc, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	
Count 2:	§54.1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

After discussion a motion was made by Mr. Sumpter and seconded by Mr. Redifer to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposes the Revocation of license (2705-122947) for the violation of Counts 1, and Count 2. In addition, for violation of Count 2, the Board voted to impose no monetary penalty for the violation.		

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not

vote.

In the matter of Disciplinary File Number 2009-04020, Dustin Cornell t/a DC Construction Services (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Dustin Cornell on behalf of DC Construction (Respondent) appeared at the Board meeting. He addressed the Board. Mr. Cornell requested his case be remanded to an Informal Fact Finding conference due to his conflict with receipt of the mail.

File Number
2009-04020
Dustin Cornell t/a DC
Construction Services

The presiding Board representatives Mrs. Wall and Mrs. Tomlin were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Hart and seconded by Mr. Sumpter to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board did not vote as Mr. Hart withdrew his motion.

After further discussion, a motion was made by Mr. Redifer and seconded by Mrs. Wood to find a violation for failure to respond. The Board will adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with an amended Recommendation.

Count 1:	18 VAC 50-22-260 B 13	
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The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall and Tomlin were not present and did not vote.

After discussion a motion was made by Mr. Redifer and seconded by Mr. Hart to impose the following sanctions:

Count 1:	\$500.00	
Total		\$500.00
The Board voted to require Dustin Cornell have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer,

Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall and Tomlin were not present and did not vote.

In the matter of Disciplinary File Number 2009-04480, Artisan Tile & Bath, t/a Artisan Contracting (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Artisan, counsel nor any other qualified representative on behalf of Artisan Contracting (Respondent) appeared at the IFF meeting. They did not attend the Board meeting.**

**File Number
2009-04480
Artisan Tile & Bath,
t/a Artisan
Contracting**

The presiding Board representatives **Mrs. Wall and Mrs. Tomlin** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Artisan Tile & Bath, t/a Artisan Contracting**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposes the Revocation of license (2705-001506) for the violation.		

The motion passed by unanimous vote. Members voting "yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-04547, Earth & Turf LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. John Wright on behalf of Earth & Turf LLC (Respondent) appeared at the IFF meeting. John Wright attended the Board meeting. He addressed the Board.

File Number
2009-04547
Earth & Turf LLC

The presiding Board representatives Mrs. Wall and Mrs. Tomlin were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mrs. Wood and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Earth & Turf LLC, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

After discussion a motion was made by Mr. Walton and seconded by Mr. Redifer to impose the following sanctions:

Count 1:	\$500.00	
Total		\$500.00
In addition, for violation of Count 1, the Board voted to require Earth & Turf LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-04549, Mario R Ibarra, t/a Affordable Concrete (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal

File Number
2009-04549
Mario R Ibarra, t/a

Fact-Finding Conference and the recommendation.

Affordable Concrete

Neither Ibarra on behalf of Affordable Concrete (Respondent) did not appear at the IFF meeting. Mario R Ibarra did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives Mrs. Wall and Mrs. Tomlin were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Hart and seconded by Mr. Sumpter to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Mario R Ibarra, t/a Affordable Concrete, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

After discussion a motion was made by Mr. Hart and seconded by Mr. Sumpter to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposes the Revocation of license (2705-081296) for the violation.		

The motion passed by unanimous vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Tomlin and Wall were not present and did not vote.

In the matter of Disciplinary File Number 2009-00854, David J Webber, t/a Webber's A Touch Above The Rest (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2009-00854
David J Webber, t/a
Webber's A Touch
Above The Rest

David J Webber, t/a Webber's A Touch Above The Rest (Respondent) did not

appear at the IFF meeting. **Webber** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **David J Webber**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230.B	
Count 2:	18 VAC 50-22-260 B 15	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Wall was not present and did not vote.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$850.00	
Count 2:	\$1,700.00	
Count 3:	\$1,900.00	
Total		\$4,450.00

The Board imposes the Revocation of license (2705-113789) for the violation of Counts 2, and Count 3.

In addition, for violation of Count 1, the Board voted to require **David J Webber** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Wall was not present and did not vote.

In the matter of Disciplinary File Number 2009-02207, Brett M Cameron, t/a Natures Own Concrete (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Brett M Cameron, t/a Natures Own Concrete (Respondent)** did not appear at the Board meeting. **Michael Kayhoe (Complainant)** attended the Board meeting. He shared his disagreement.

File Number
2009-02207
Brett M Cameron, t/a
Natures Own
Concrete

The presiding Board representatives **Mrs. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** that the Board adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Brett M Cameron** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall was not present and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$1,900.00	
Total		\$1,900.00
In addition, the Board also imposes revocation of license 2705-115145.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Wall was not present and did not vote.

In the matter of Disciplinary File Number 2009-02754, Nguyen Design & Build LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding

File Number
2009-02754
Nguyen Design &

Conference and the recommendation. **Tam Thanh Nguyen** on behalf of **Nguyen Design & Build LLC (Respondent)**, did appear at the IFF. He also attended the Board meeting.

Build LLC

The presiding Board representative **Mrs. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Nguyen Design & Build LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	§54.1-1110 of the Code of Virginia	
Count 2:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. **Wall** was not present and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mrs. Wood** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
In addition, for violation of Count 2, the Board voted to impose require Nguyen Design & Build LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. As to Count 1, the Board voted to impose no monetary penalty for the violation of the statue.		

The motion passed by unanimous vote. Members voting "yes" **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. **Wall** was not present and did not vote.

In the matter of Disciplinary File Number 2009-02809, **Edward Bittner, t/a Edward Bittner Plumbing & Heating (Respondent)**; the board reviewed the record,

File Number
2009-02809

which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**Edward Bittner, t/a
Edward Bittner
Plumbing & Heating**

Edward Bittner on behalf of Edward Bittner Plumbing & Heating (Respondent), appeared at the IFF. Neither Bittner, counsel nor any qualified representative attended the Board meeting.

Ernest Fitzpatrick, (Complainants) attended the IFF. They did not attend the Board meeting.

The presiding Board representative **Mr. Williams** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Edward Bittner** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	

The motion passed with a unanimous vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Williams was not present and did not vote.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions with amendment as suggested by **Modisett**:

Count 1:	\$1,900.00	
Total		\$1,900.00
The Board also imposes revocation of license 2705-098723 for the violation. As to Count 2, the Board closes this aspect of the file with a finding of no violation.		

The motion passed by majority vote. Members voting "yes" were: **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Williams was not present and did not vote.

In the matter of Disciplinary File Number 2009-01055, Jose E Mineros-Servellon, t/a The Providence Group Contractor (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Jose E Mineros-Servellon on behalf of The Providence Group Contractor (Respondent), did not appear at the IFF or the Board meeting. Terry Redhead (Complainant) attended the Informal Fact Finding Conference.**

**File Number
2009-01055
Jose E Mineros-Servellon, t/a The Providence Group Contractor**

The presiding Board representatives **Mr. Williams and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Jose E Mineros-Servellon**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260 B 9	Eff: February 1, 2006
Count 3:	18 VAC 50-22-260 B 6	Eff: September 1, 2001
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-230 B	
Count 6:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "yes" Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Williams was not present and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Hart** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$400.00	
Count 3:	\$2,000.00	
Count 4:	\$1,000.00	
Count 5:	\$850.00	
Count 6:	\$1,350.00	
Total		\$6,100.00
In addition, for violations, the Board voted to impose revocation of license (2705-079140).		

The motion passed by unanimous vote. Members voting "yes" Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Williams was not present and did not vote.

In the matter of Disciplinary File Number 2009-02750, R D Sprouse Construction Company Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **R D Sprouse Construction Company Inc (Respondent)** did not appear at the IFF or the Board meeting. Neither **R D Sprouse Construction Company Inc**, counsel, nor anyone on its behalf appeared at the Board meeting. **Clark Jackson and Gloria Jackson (Complainants)** appeared at the Informal Fact Finding Conference and the Board Meeting. They addressed the Board.

File Number
2009-02750
R D Sprouse
Construction
Company Inc

The presiding Board representatives **Mr. Williams and Mr. Sumpter** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **R D Sprouse Construction Company Inc**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230.B	
Count 2:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260.B.9	Eff: February 1, 2006
Count 4:	18 VAC 50-22-260.B.6	Eff: September 1, 2001

The motion passed by unanimous vote. Members voting "yes" **Tomlin, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Williams and Sumpter were not present and did not vote.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to impose the following sanctions:

Count 1:	\$850.00	
Count 2:	\$350.00	
Count 3:	\$400.00	
Count 4:	\$2,000.00	
Total		\$3,600.00

In addition, for violation of Count 1, 2 and 4 the Board voted to impose revocation of license 2705-073039. As to Count 5, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting "yes" Tomlin, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.

Williams and Cronin were absent. Williams and Sumpter were not present and did not vote.

In the matter of Disciplinary File Number 2009-01072, Shamma Consultancy Inc, t/a Shamma Homes Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Shamma Consultancy Inc, t/a Shamma Homes Inc (Respondent), appeared at the IFF. Neither Shamma Consultancy, counsel nor anyone on its behalf attended the Board meeting. Hassan and Hala Abdallah attended the Informal Fact Finding Conference.

File Number
2009-01072
Shamma Consultancy
Inc, t/a Shamma
Homes Inc

The presiding Board representative Mrs. Wood was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Walton and seconded by Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amendments to the Recommendations. The Board found that Shamma Consultancy Inc, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 15	
Count 2:	18 VAC 50-22-260 B 15	
Count 3:	18 VAC 50-22-260.B.6	
Count 4:	18 VAC 50-22-260.B.16	
Count 5:	18 VAC 50-22-260.B.31	
Count 6:	18 VAC 50-22-260.B.12	Eff: February 1, 2006

The motion passed by unanimous vote. Members voting "yes" Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer and Walton.

Williams and Cronin were absent. Wood was not present and did not vote.

After discussion a motion was made by Mr. Sumpter and seconded by Mr. Redifer to impose the following sanctions:

Count 1:	\$1,700.00	
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Count 2:	\$1,700.00	
Count 3:	\$800.00	Remedial Ed
Count 4:	\$1,950.00	
Count 5:	\$400.00	Remedial Ed
Count 6:	\$850.00	Remedial Ed
Total		\$7,400.00

In addition, for violation of Count 3, 5 and 6 the Board voted to require **Shamma Consultancy Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes revocation of license (2705-099090). Remedial Education was included to be consistent with previous Board actions.

The motion passed by unanimous vote. Members voting "yes" **Tomlin, Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer and Walton.**

Williams and Cronin were absent. Wood was not present and did not vote.

In the matter of Consent Order File Number 2008-00195 Board v. **Brent W Dorsey, t/a Dorsey's**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-00195
Brent W Dorsey, t/a
Dorsey's

Tomlin, the Board Representative in this case was not present and did not vote.

Brent W Dorsey, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$00.00
Count 2:	18 VAC 50-22-260 B 8	\$00.00
Count 3:	18 VAC 50-22-260.B.9	\$00.00
Count 4:	18 VAC 50-22-260.B.27	\$00.00
Count 5:	18 VAC 50-22-260 B 27	\$00.00
Count 6:	18 VAC 50-22-260.B.31	\$00.00
Count 7:	18 VAC 50-22-260 B 6	\$00.00
Count 8:	18 VAC 50-22-260.B.25	\$00.00
Count 9:	18 VAC 50-22-260 B 14	\$00.00
Count 10:	18 VAC 50-22-260 B 2	\$00.00
Board Costs		
Total		\$00.00

In addition, for violation of Counts 1-10 **Brent W Dorsey** agrees to voluntary revocation of its license. 2705-099093.

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Tomlin was not present and did not vote.

In the matter of Consent Order File Number 2008-02533 Board v. Guaranteed Home Improvement LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-02533
Guaranteed Home
Improvement LLC**

As the Board representative, **Mr. Kirby** was not present and did not participate and did not vote.

Guaranteed Home Improvement LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$00.00
Count 2:	18 VAC 50-22-260 B 16	\$00.00
Board Costs		\$150.00
Total		\$1,600.00
In addition, Guaranteed Home Improvement LLC agrees to revocation of its license (2705-074443).		

Upon a motion by **Mr. Dyer** seconded by **Mrs. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Tomlin, Redifer, Wood and Walton.**

Williams and Cronin were absent. Kirby was not present and did not vote.

In the matter of Consent Order File Number 2009-00239 Board v. M W Construction Services LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-00239
MW Construction
Services LLC**

MW Construction Services LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, MW Construction Services LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Tomlin, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-01347 Board v. Fulco Construction Inc Report of Findings that contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2009-01347
Fulco Construction
Inc

Fulco Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$750.00
Count 2:	18 VAC 50-22-260.B 6	\$800.00
Board Costs		\$150.00
Total		\$1,700.00
Further, Fulco Construction Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent.

As a Board representative, **Ms. Tomlin was not present and did not participate in discussion and did not vote on this matter.**

In the matter of Consent Order File Number 2009-01777 Board v. Ligon Construction Inc the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2009-01777
Ligon Construction
Inc

Ligon Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$00.00
Count 2:	18 VAC 50-22-260 B 28	\$00.00
Board Costs		\$0.00
Total		\$0.00
Further, Ligon Construction Inc agrees to revocation of license 2705-113748.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Tomlin, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File number 2009-02024 Board v. Jefferson Area Builders Inc; the Board reviewed the Consent Order. Incorporated in the consent Order is the Report of Findings, which contains the facts regarding the regulatory and /or statutory issues in this matter.

File Number
2009-02024
Jefferson Area
Builders Inc

Jefferson Area Builders Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.9	\$400.00
Count 2:	18 VAC 50-22-260.B 15	\$2,000.00
Count 3:	18 VAC 50-22-260.B.31	\$700.00
Board Costs		\$150.00
Total		\$3,250.00
In addition, for violation of Counts 1-3, Jefferson Area Builders Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Tomlin, Wood and Walton.**

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Consent Order File Number 2009-02305 Board v. Seafloor Construction Services Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02305
Seafloor Construction
Services Inc**

Seafloor Construction Services Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$100.00
Count 2:	18 VAC 50-22-260.B 31	\$50.00
Board Costs		\$150.00
Total		\$300.00
Further, Seafloor Construction Services Inc agrees to have a member of responsible management successfully complete a Board approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Tomlin and Walton.**

Williams and Cronin were absent. **Wood** was not present and did not vote.

In the matter of Consent Order File Number 2009-02352 Board v. Christopher Wayne Stacy, t/a Stacy Construction the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02352
Christopher Wayne
Stacy, t/a Stacy
Construction**

Christopher Wayne Stacy, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 12	\$850.00
Board Costs		\$150.00
Total		\$1,000.00
Further, Christopher Wayne Stacy agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Tomlin, Redifer, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-02560 Board v. Beynard Edward Stevenson Jr, t/a Stevensons Air Care, and the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02560
Beynard Edward
Stevenson Jr, t/a
Stevensons Air Care**

Beynard Edward Stevenson Jr attended the Board meeting and addressed the Board to say he affirmed the order.

Beynard Edward Stevenson Jr. acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. Beynard Edward Stevenson Jr. consents to the following terms:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22-260 B 6	\$500.00
Count 3:	18 VAC 50-22-260.B. 5	\$0.00
Count 4:	18 VAC 50-22-260.B.11	\$500.00
Board Costs		\$150.00
Total		\$1,350.00

In addition, Beynard Edward Stevenson Jr. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. See order for additional special details. Stevenson agrees to revocation of his license which may be waived provided special terms of the order are met within 90 days of the effective date of the order.

Upon a motion by Mr. Redifer seconded by Mr. Dyer the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Tomlin, Redifer, Wood and Walton.

Williams and Cronin were absent. Kirby was not present and did not vote.

In the matter of Consent Order File Number 2009-02593 Board v. Steven & Karen Stuart t/a Renovation Solutions; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02593
Steven & Karen
Stuart t/a Renovation**

Solutions

Steven & Karen Stuart, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$00.00
Count 2:	18 VAC 50-22-260 B 15	\$00.00
Count 3:	18 VAC 50-22-260 B 28	\$00.00
Board Costs		\$00.00
Total		\$00.00
In addition, Steven and Karen Stuart agrees to revocation of the license 2705-095493.		

Upon a motion by **Mr. Sumpter** seconded by **Mrs. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Tomlin, Wood and Walton.**

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Consent Order File Number 2009-02669 Board v. Blue Ridge Erectors Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2009-02669
Blue Ridge Erectors
Inc

Blue Ridge Erectors Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2 (2 violations @\$0.00 ea)	\$00.00
Count 2:	18 VAC 50-22-260.B.6 (2 violations @\$0.00 ea)	\$00.00
Count 3:	18 VAC 50-22-260.B.28 (2 violations @\$0.00 ea)	\$00.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of Counts 1 - 3, Blue Ridge Erectors Inc agrees to revocation of its license. (2705-067683)		

Upon a motion by **Mr. Dyer** seconded by **Mrs. Redifer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher,**

Hart, Smith, Miller, Dowdy, Kirby, Tomlin, Wood and Walton.

Williams and Cronin were absent. Redifer was not present and did not vote.

In the matter of Consent Order File Number 2009-02735 Board v. NSC Improvement Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02735
NSC Improvement
Inc**

NSC Improvement Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$00.00
Count 2:	18 VAC 50-22-260.B 6	\$00.00
Count 3:	18 VAC 50-22-260.B.29 (2 violations at \$0.00 ea)	\$00.00
Count 4:	18 VAC 50-22-260.B.6	\$00.00
Count 5:	18 VAC 50-22-260 B 6	\$00.00
Count 6:	18 VAC 50-22-260.B.28	\$0.00
Count 7:	18 VAC 50-22-260.B.28 (4 violations at \$0.00 ea)	\$00.00
Count 8:	18 VAC 50-22-260.B.13	\$00.00
Board Costs		\$150.00
Total		\$150.00
Further, NSC Improvement Inc agrees to revocation of its license.		

Upon a motion by **Mr. Sumpter** seconded by **Mrs. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Tomlin was not present and did not vote.

In the matter of Consent Order File Number 2009-02756 Board v. Stars Construction LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02756
Stars Construction
LLC**

Tam Nguyen, Regulant appeared at the Board meeting and addressed the Board. He shared that he was withdrawing the Consent Order and wished to have the case remanded to an Informational Fact Finding Meeting.

After discussion, a motion was offered by Mr. Redifer and seconded by Mr. Walton to remand the case to an Informal Fact Finding Conference meeting. The motion passed unanimously. Members voting "yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Tomlin, Wood and Walton.

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-02862 Board v. Virginia United Contractors LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-02862
Virginia United
Contractors LLC**

Virginia United Contractors LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
In addition, Virginia United Contractors LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by Mrs. Wood seconded by Mr. Dyer the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Sumpter, Dyer, Rusher, Hart, Smith, Miller, Dowdy, Kirby, Redifer, Tomlin, Wood and Walton.

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-03006 Board v. Clifford Eugene Webb, t/a Cliff's Home Improvement the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03006
Clifford Eugene
Webb, t/a Cliff's
Home Improvement**

Sherry A George, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22-260 B 27	\$900.00

Count 3:	18 VAC 50-22-260 B 14	\$2,000.00
Count 3:	18 VAC 50-22-260.B.16	\$2,000.00
Board Costs		\$150.00
Total		\$5,750.00

In addition, **Clifford Eugene Webb** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. In addition, for violation, **Clifford Eugene Webb** agrees to revocation of his license.

Upon a motion by **Mr. Hart** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Wood and Walton.**

Williams and Cronin were absent. Smith was not present and did not vote.

In the matter of Consent Order File Number 2009-03245 Board v. **Robert Mingloski t/a Robert Mingloski & Sons**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2009-03245
Robert Mingloski t/a
Robert Mingloski &
Sons

Robert A Mingloski Jr. , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B9	\$400.00
Count 2:	18 VAC 50-22-260.B 31	\$200.00
Board Costs		\$150.00
Total		\$750.00

In addition, for violation **Robert A Mingloski J.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Mr. Hart** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Smith, Redifer, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-03321 Board v. enterprise Builders & Developers LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03321
Enterprise Builders &
Developers LLC**

Enterprise Builders & Developers LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.9	\$00.00
Count 2:	18 VAC 50-22-260.15	\$00.00
Count 3:	18 VAC 50-22-260.6	\$00.00
Count 4:	18 VAC 50-22-260.B.28	\$00.00
Board Costs		\$150.00
Total		\$150.00
Further, enterprise Builders & Developers LLC agrees to revocation of its license.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Smith, Redifer, Wood and Walton.**

Williams and Cronin were absent. **Kirby** was not present and did not vote.

In the matter of Consent Order File Number 2009-03336 Board v. Kevin M Bowman, t/a K & H Home Repair; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03336
Kevin M Bowman, t/a
K & H Home Repair**

Cesar Dominquez, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$500.00
Count 3:	18 VAC 50-22-260.B.27	\$750.00
Count 4:	18 VAC 50-22-260.B.15	\$1,500.00
Count 5:	18 VAC 50-22-260.B.16	\$1,750.00
Count 6:	18 VAC 50-22-260.B.13	\$1,000.00

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Board Costs		\$150.00
Total		\$6,000.00
In addition, Kevin M Bowman agrees to have a member of Responsible Management successfully complete a Board-approved remedial education. Bowman also agrees to a one year probation of his license as of the effective date of this order.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Wood and Smith.**

Williams and Cronin were absent. Walton was not present and did not vote.

In the matter of Consent Order File Number 2009-03435 Board v. Cornerstone Design Center Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2009-03435
Cornerstone Design
Center Inc

Cornerstone Design Center Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$550.00
Board Costs		\$150.00
Total		\$700.00
Further, Cornerstone Design Center Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-03462 Board v. James Larry Poe, t/a Poe Construction; the Board reviewed the Consent Order. Incorporated in the

File Number
2009-03462

Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**James Larry Poe, t/a
Poe Construction**

James Larry Poe acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Count 2:	18 VAC 50-22-260 B 17	\$1,500.00
Board Costs		\$150.00
Total		\$2,300.00
In addition, James Larry Poe agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Smith, Redifer, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-03513 Board v. **Troy Lane Hare**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03513
Troy Lane Hare**

Troy Lane Hare , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190.5	\$750.00
Board Costs		\$150.00
Total		\$900.00
In addition, Troy Lane Hare agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Hare agree to a one year probation of his license as of the effective date of the order. See order for additional terms.		

Upon a motion by **Mr. Dyer** seconded by **Mrs. Tomlin** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher,**

Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith and Walton.

Williams and Cronin were absent. Wood was not present and did not vote.

In the matter of Consent Order File Number 2009-03631 Board v. Preston Robinson, t/a Faith Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter. William Butch Cann was present at the Board meeting and wanted the Board to know he was sorry for the inconvenience to the Board and the customer.

**File Number
2009-03631
Preston Robinson, t/a
Faith Construction**

Preston Robinson , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
In addition, Preston Robinson agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Redifer** seconded by **Mrs. Tomlin** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-03907 Board v. James C Tice t/a T & N Painting; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03907
James C Tice t/a T &
N Painting**

James C Tice, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$1,900.00
Board Costs		\$150.00
Total		\$2,050.00
In addition, James C Tice agrees to revocation of his license. The		

Board shall waive imposition of the \$1,900. monetary penalty and license revocation for count 1 provided James C Tice satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the date of the order. If Tice fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Upon a motion by **Mr. Hart** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-04004 Board v. Southside Aluminum Inc, t/a Southside Aluminum Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-04004
Southside Aluminum
Inc, t/a Southside
Aluminum Inc**

Southside Aluminum Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.2-2220 of the code of Virginia	\$00.00
Board Costs		\$150.00
Total		\$1,150.00
In addition, Southside Aluminum Inc agrees to revocation of its license.		

Upon a motion by **Mrs. Wood** seconded by **Mr. Dyer** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-04012 Board v. McNeil Sales & Service Inc, t/a McNeil Sales & Service Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-04012
McNeil Sales &
Service Inc, t/a
McNeil Sales &
Service Inc**

McNeil Sales & Service Inc, acknowledges an understanding of the charges and hereby

admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 B	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, McNeil Sales & Service Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. McNeil Sales & service Inc agrees to provide to the Board a completed "Change of Designated Employee Application" form within ninety days of the effective date of this order.		

Upon a motion by **Mr. Smith** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

In the matter of Consent Order File Number 2009-04095 Board v. Stephen Shook t/a RARCO the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-04095
Stephen Shook t/a
RARCO**

Stephen Shook t/a RARCO, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$800.00
Board Costs		\$150.00
Total		\$950.00
In addition, Stephen E Shook agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Smith** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

A. Regulatory Package:

Other Board Business

Eric Olson briefed the Board bringing them up to date regarding the Regulatory package. He shared that the final regulatory package, amending the fees for both contractors and trades, would not be signed by the Governor, but would be left on the table for the next Administration. As a result of this delay in the implementation of new fees the Board adopted several cost saving measures:

B. Suspension of education provider training audits:

The Board decided to suspend auditing of approved education providers. Currently staff averages four audits per quarter, all of which incur travel expenses charged to the Board.

C. Travel Presentation Suspension:

The Board decided to suspend all staff travel for presentations and meetings that would incur a travel expense charged to the Board. Exceptions include subpoenas and expenses for joint programs, such as the DPOR/Commissioner of the Revenue meetings.

D. Amending the 2010 Board Meeting Schedule:

The Board amended the 2010 meeting schedule, eliminating three board meetings. This will result in larger caseloads and longer meetings, but should reduce meeting expenditures by approximately 37%. This reduces the number of meetings from eight to five. After discussion a motion was made by **Redifer** and seconded by **Smith** to approve the reduction of the Board for Contractor's meetings for 2010 by three. The motion was approved unanimously by: **Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.**

Williams and Cronin were absent.

Mark Courtney presented the roles and responsibilities training module.

**Board Member
Training**

Steve Arthur presented the Administration and Finance training module.

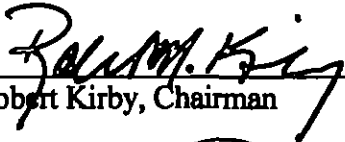
The Board discussed that they would consider nominations for the office of Chair person and Co Chair person at their next scheduled meeting; October 6, 2009.

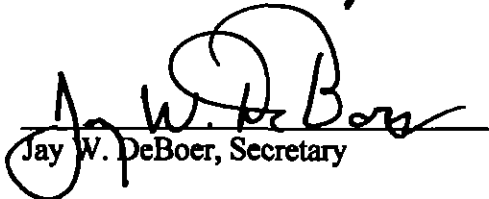
New Business

Their being no further business to come before the board, the meeting was adjourned at 1:45 p.m. upon a motion by Mrs. Wood and seconded by Mrs. Tomlin. The motion passed by unanimous vote. Members voting "Yes" were: Sumpter, Dyer, Rusher, Hart, Tomlin, Miller, Dowdy, Kirby, Redifer, Smith, Wood and Walton.

Adjournment

Williams and Cronin were absent.


Robert Kirby, Chairman


Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: H. BAILEY DOWDY
2. Title: Member –BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(j) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

September 1, 2009

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: HERBERT "JACK" DYER, JR.
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(f) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Herbert Jack Dyer Jr.
Signature

September 1, 2009
Date

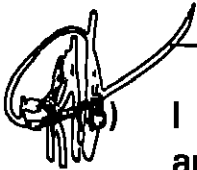
STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

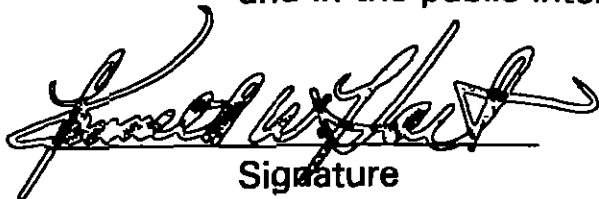
1. Name: KENNETH W HART
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(c) I am a member of the following business, profession,
occupation
or group, the members of which are affected by the
transaction:



I am able to participate in this transaction fairly, objectively,
and in the public interest.



Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: ROBERT M. KIRBY
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

NONE

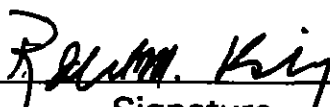
6. I declare that:

(b) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

AGC OF VA, PMPOF VA, BUILDERS & CONTR. EXCH.

D.E. KIRBY, INC

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT


CONFLICT OF INTEREST ACT

1. Name: **JACK MILLER**
2. Title: **Member –BOARD FOR CONTRACTORS**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(e) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: WILLAM BILL RUSHER
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(g) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

WBR (b)

I am able to participate in this transaction fairly, objectively, and in the public interest.

Bill Rusher

Signature

September 1, 2009

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

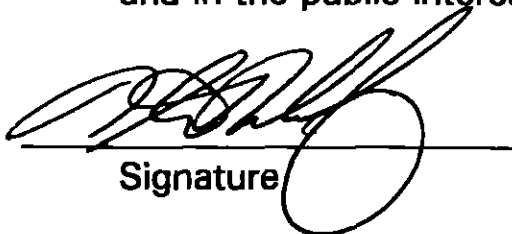
1. Name: MICHAEL D. REDIFER
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

VBDOA UPMAK ICC IDEI NEPA

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

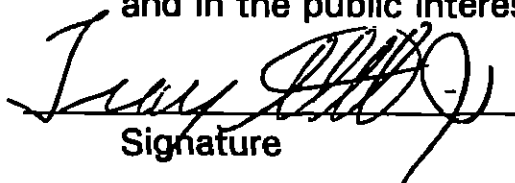
CONFLICT OF INTEREST ACT

1. Name: TROY SMITH, JR.
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(h) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: HOMER C PETE SUMPTER
2. Title: Member -BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(i) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: DEBORAH LYNN TOMLIN
2. Title: Member –BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

(k) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Deborah Lynn Tomlin
Signature

September 1, 2009
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: WYATT H WALTON, III
2. Title: Member –BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(I) I am a member of the following business, profession, occupation
or group, the members of which are affected by the transaction:

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

September 1, 2009

Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: DOROTHY WOOD
2. Title: Member –BOARD FOR CONTRACTORS
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

(n) I am a member of the following business, profession,
occupation
or group, the members of which are affected by the
transaction:

(b) I am able to participate in this transaction fairly, objectively,
and in the public interest.



Signature

September 1, 2009

Date